

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MICHAEL DAUGHERTY,**

**Plaintiff,**

**v.**

**Civil Action 2:10-cv-1069**

**Judge Peter C. Economus**

**Magistrate Judge E. A. Preston Deavers**

**WARDEN DEBORAH**

**TIMMERMAN-COOPER, *et al.*,**

**Defendants.**

**ORDER**

This matter is before the Court for consideration of the June 28, 2011 Report and Recommendation of the Magistrate Judge. (Dkt. 20.) The Magistrate Judge recommended that the Court grant the Motion of Defendants Curtis Wingard, Stanley Taylor, and Mike Mickle to Dismiss.

The Report and Recommendation of the Magistrate Judge specifically advises parties that the failure to object to the Report and Recommendation within fourteen days results in a “waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court.” (Report & Recommendation 15, Dtk. 20.) The time period for filing objections to the Report and Recommendation has expired, and no party has objected.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired,

the Court **ADOPTS** the Report and Recommendation. Accordingly, the the Motion of Defendants Curtis Wingard, Stanley Taylor, and Mike Mickle to Dismiss (Dkt. 10) is **GRANTED**, and Defendants Curtis Wingard, Stanley Taylor, and Mike Mickle are **DISMISSED** from this action.<sup>1</sup>

**IT IS SO ORDERED.**

/s/ Peter C. Economus - July 27, 2011  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> Defendants Warden Deborah Timmerman-Cooper and Ernie Moore remain in this action.